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December 15, 2023

VIA ELECTRONIC FILING

Hon. Patrick G. Radel
U.S. Bankruptcy Court
Alexander Pirnie U.S. Courthouse and Federal Building
10 Broad Street
Utica, NY 13501

Re: *The Roman Catholic Diocese of Ogdensburg, New York; Case No. 23-60507 (the "Diocese")*

Dear Judge Radel:

In accordance with the Court's request at the hearing held on December 5, 2023 to consider *Moving Insurers' Motion for Entry of an Order Pursuant to Bankruptcy Rule 2004 Authorizing the Moving Insurers to Issue Subpoenas to the Debtor for Basic Information Essential to Mediation that has been Provided to Individual Plaintiff Lawyers and the Committee* [Docket No. 138] (the "2004 Motion"), we are providing a status update of ongoing discussions between the Diocese and the Moving Insurers (as defined in the 2004 Motion).

To date, the Moving Insurers have not provided the Diocese with an executed confidentiality and non-disclosure agreement (the "NDA") in the form attached as Schedule 1 to the *Protective Order* entered by this Court on November 6, 2023 [Docket No. 244]. Since the December 5, 2023 hearing, the Diocese has worked to resolve the issues presented by the Moving Insurers. In response to the Court's direction at the December 5, 2023 hearing, on Wednesday, December 13, 2023, we provided a draft of a proposed agreed Order for resolution of the 2004 Motion, setting forth the categories of documents that would be produced upon receipt of an executed copy of the NDA, in a manner similar to the order entered by Judge Cangilos-Ruiz in the chapter 11 case *In re The Roman Catholic Diocese of Syracuse*, Case No. 20-30663. The Diocese has not received comments from the Moving Insurers on the terms of the draft Order. On the

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same day, we also provided copies of protective orders in the state court action referenced by the Moving Insurers at the December 5 hearing.

The Diocese remains ready and willing to begin production of documents to the Moving Insurers upon execution of the NDA. We would be happy to address any questions the Court may have.

Thank you for your consideration.

Respectfully submitted,

BOND, SCHOENECK & KING, PLLC

A handwritten signature in blue ink, appearing to read 'S. Donato', with a stylized flourish at the end.

Stephen A. Donato

cc: Father Kevin J. O'Brien (via electronic mail)
Charles J. Sullivan, Esq. (via electronic mail)
Sara C. Temes, Esq. (via electronic mail)